

***PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE******Of the******Suffolk County Legislature******Minutes***

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on October 10, 2006.

***Members Present:***

Legislator Jack Eddington • Chairman  
Legislator Kate Browning • Vice•Chair  
Legislator Wayne Horsley  
Legislator Vivian Vilorio•Fisher  
Legislator Joseph Caracappa  
Legislator Daniel Losquadro  
Legislator Jay Schneiderman

***Also In Attendance:***

George Nolan • Counsel to the Legislature  
Ian Barry • Assistant Counsel to the Legislature  
Renee Ortiz • Chief Deputy Clerk/Suffolk County Legislature  
Robert Calarco • Aide to Legislator Eddington  
Michael Cavanaugh • Aide to Presiding Officer Lindsay  
Paul Perillie • Aide to Majority Caucus  
Linda Bay • Aide to Minority Caucus  
Gail Vizzini • Director/Budget Review Office  
Lance Reinheimer • Assistant Director/Budget Review Office  
Jim Maggio • Budget Review Office  
Jill Moss • Budget Review Office  
Ben Zwirn • Assistant County Executive

Brian Beedenbender • County Executive Assistant  
 Dennis Brown • Bureau Chief•Municipal Law Div./County Attorney's Office  
 Robert Kearon • Division Bureau Chief/District Attorney's Office  
 Robert Moore • Chief of Department/Suffolk County Police Department  
 Aristedes Mojica • Inspector/Chief of Dept's Office/SCPD  
 Robert Scharf • Lieutenant/Administrative Services/SCPD  
 Alan Otto • Chief of Staff/Suffolk County Sheriff's Office  
 Joe Rubacka • Deputy Warden/Suffolk County Sheriff's Office  
 Anthony Gazzola • Undersheriff/Suffolk County Sheriff's Office  
 Bob Draffin • Employee Relations Director/Suffolk County Sheriff's Off.  
 Mike Sharkey • President/Deputy Sheriff's Police Benevolent Association  
 Vito Dagnello • President/Correction Officer's Association  
 Matt Bogart • 1st Vice•President/Correction Officer's Association  
 Kurt Caminsky • 3rd Vice•President/Correction Officer's Association  
 Tom Henry • Suffolk County Probation Department  
 Colleen Ansanelli • Criminal Justice Coordinating Council  
 Debbie Eppel • Public Information Office  
 Catherine Hoake • Suffolk County League of Women Voters  
 Mary McLaughlin • Suffolk County League of Women Voters  
 Sandy Sullivan • Legislative Liaison/AME  
 Erika Deveny • American Red Cross/Community Service Program  
 Brian Schafer • American Red Cross/Community Service Program  
 Joyce Pulliam • Mastic Park Civic Association  
 Kathy Smith • East Patchogue/North Bellport Group  
 Eileen McCallion • East Patchogue/North Bellport Group  
 All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney • Court Stenographer

***(\*The meeting was called to order at 11:39 AM\*)***

**CHAIRMAN EDDINGTON:**

Would everyone please stand for the pledge of allegiance led by Legislator Horsley.

***Salutation***

Thank you, Legislator Horsley. Be seated. Okay, I'd like to start with the public portion and call Joyce Pulliam to the stand.

**MS. PULLIAM:**

Hi. This is the first time I've been here. I'm representing the Mastic Park Civic Association and the people from Mastic and Mastic Beach and Shirley. I'm here today just to let you know that we're really having a problem with the sex offenders in our neighborhood. It's a serious situation. I'm sorry, but we have like 30 to 50 kids in our neighborhood that had to stay inside their houses this summer because of the situation we had at 115 Eleanor Avenue. It was a very bad situation because they had clustered six sex offenders in one house, and that really, really upset everybody in the neighborhood and in the surrounding communities.

We need some type of legislation that doesn't allow people that are going to more than likely re-offend cluster in a home in a neighborhood with so many children; that's just my block, I'm not even talking about the surrounding areas. And it's a proven stat that one in four children are molested in this country and that's a terrible, terrible thing. And I beg you to, please, pass some sort of legislation where you're more cautious where you put these people. I know they have to live somewhere, but not in neighborhoods so close to so many people and so many children. It's where the children no longer can go out and play and the people have to lock their kids in their house; it's not right and it's not fair, and we do beg of you to please do something about it. Please pass this bill. Thank you

**CHAIRMAN EDDINGTON:**

Thank you. Kathy Smith.

**MS. SMITH:**

Good morning.

**CHAIRMAN EDDINGTON:**

Good morning.

**MS. SMITH:**

I'm here on behalf of the East Patchogue•North Bellport Group, all right, the residents that live in that area. There's a lot of decent residents and there's a lot of what I consider non•residents, people that are put there and live there, whether they're Section 8's or whatever. But there's a problem there because the people that do pay taxes, that do live there, they can't walk the streets. There's got to be more patrol, more police.

**(\*Legislator Caracappa entered the meeting at 11:43 AM\*)**

Myself, right outside the house I saw five young black children •• I wouldn't call them black children; let me change that •• teen•agers with five pit bulls with chains so big around these dogs, so vicious, that who's going to walk outside their house. You know, things like that, that maybe if a patrol car was visual or up and down, you know, they wouldn't be so •• how can I say, arrogant, flaunting it. It's a problem. It is a problem up there. I won't even walk down the street, God forbid go out at dark, but something really has to be done about that.

Too many absentee landlords, you know, no accountability, too many vacant homes that are boarded up that are owned by banks that have, quite frankly, no responsibility to the community. All right? They're used as drug houses, in the back door, rubble, debris all over. So all those things that maybe if there was a more visual presence there, it wouldn't be so rampant, and more accountability by the people that actually own the property in those areas that are abandoned, more accountability I think for the properties that are owned by private. You know, that's really basically what I have to say.

**CHAIRMAN EDDINGTON:**

Thank you very much, Ms. Smith.

**MS. SMITH:**

You're welcome.

**CHAIRMAN EDDINGTON:**

Eileen McCallion,

**MS. McCALLION:**

Hi. Good morning. Can you hear me?

**CHAIRMAN EDDINGTON:**

Yes, I can. Thank you.

**MS. McCALLION:**

Okay. I'm also here in reference to the East Patchogue•Bellport area. There's quality of life issues that really need to be addressed, there's gangs everywhere. Drug dealers that have been dealing drugs since my husband has been in high school, it's the same drug dealer, so I don't know why they're not away for life, but repeat offenders and they're taking over the neighborhood. I've been a victim of theft I don't know how many times and I'm a law abiding citizen. I come home from lunch and my quad and my dirt bike is going down the street, and I live on the outskirts. It's getting worse and worse.

My nephew, three weeks ago, went to the corner, two 17 year olds stuck him up with a gun, ripped the earrings out of his ear, emptied the money out of his pockets and took his Nextel. Thank God the police were able to track him now and he's in jail on \$100,000 bail, but supposedly that teen •ager is a gang member. It's getting worse and worse and something needs to be done. It's not fair to the police that they can •• they don't have the tools to do their job. We need more presence and more police, sometimes we need more police in certain areas than others; I just think that we need more police in the area, that's it. Thank you.

**CHAIRMAN EDDINGTON:**

Thank you very much. Legislator Browning?

**LEG. BROWNING:**

Maybe Chief Moore would like to respond on this one. I recently went to North Bellport, the Bellport Alliance, because North Bellport is my district, spoke with the residents about •• the information I got, from January to September there's been 800 arrests just in North Bellport. There was a recent drive•by shooting, the residents have just basically said they've had enough. I know that we have an East West Task Force and I don't know if

the people that are here today are familiar with that East West Task Force; can you give some information on that?

**CHIEF MOORE:**

Good morning. I'm Robert Anthony Moore, Chief of Department, Suffolk County Police Department. I can't speak with any authority about any particular area. I can say that the Police Department, the numbers of arrests and particularly the street strong-arm types of arrests is becoming a national epidemic.

During the summer, our rates of that particular type of offense was going up, as it was nationwide. But I'm proud to tell you that the rate has plummeted recently because of the extraordinarily high number of arrests that our officers have been making. So for the past month or two we've actually been bucking the national trend. We're told that there are a number of causal factors, you know, rises in the prices of gold and silver and those kinds of things. The attitude of some of the young people where they don't consider it to be a crime in some instances which may sound amazing but, you know, that's the information that we get.

In the Northport •• North Bellport area, we have enhanced patrols. As you may know, it's a Weed and Seed site, so that imposes a level of policing over and above what you would find in other areas. We have relationships with Department of Probation, Department of Parole and with them we accompany them on their home inspections and home visits. They're a part of any task force operation that we have. We are working with Federal, State authorities on the issue.

I'm not sure if I answered your question, but yes, we know that there are areas in Suffolk that have greater challenges than others and we respond with a higher level of patrol and enforcement. Some of that not everyone sees because it isn't the typical uniform type patrol that most people are used to.

**LEG. BROWNING:**

Yeah. What it was is that there's a combination that's 5, 6th and 7th Precinct, that's a task force that is formed.



**CHIEF MOORE:**

Right.

**LEG. BROWNING:**

And I know that actually just last week they were in Mastic Beach and did a number of arrests and it was pretty much a zero tolerance sweeping through the community and I would like to speak with these residents. If you'd like to call my office and come in and talk with me, because I understand what you're saying. And, you know, it doesn't seem to matter how many police officers you have, the problem is just not going away. So I think there's a lot more than what the police are doing, I think the Town of Brookhaven needs to do something to resolve this problem and that's something that I'm currently working on. I have sent information and made a request of our Town Supervisor to work with us on trying to help the police to do their job and to make things better for the community. So thank you.

**CHIEF MOORE:**

And when you do have that meeting, if you'd like, we'd be happy to accompany you, so you just let us know.

**LEG. BROWNING:**

Okay.

**LEG. BROWNING:**

I will give you my cards so that you can call me.

**CHAIRMAN EDDINGTON:**

I would just like to add to that that I walked last week in East Patchogue across from the Swan Bakery area and I did call the police, 5th Precinct and they've been very responsive. There's a little village being built right by the water there and they've been down to change that. I've also talked to New York State DEC to get them involved because it's right on our Swan Lake River. So they are trying, they're trying to sweep the Main Street where the bus stops are, and of course you know the plaza theatre and we've heard lately that there are people inside that. So the 5th Precinct is trying to work on that area, but I think the task force will be what we need really to

consolidate that. So thank you for coming up with your concerns.

And the next card is Vito Dagnello, President of the Suffolk County Correction Officer's Association.

**MR. DAGNELLO:**

Good morning. Thank you for allowing me to speak. My name is Vito Dagnello, I'm President of the Suffolk County Correction Officers. Along with me is my 1st Vice•President, Matt Bogart.

I was here a number of months ago with the problem of mold in the facilities. Well, what's become very disturbing is that the County has proposed putting a million dollars towards putting cameras into the facility. I don't have a problem with the cameras if they're being put in to assist the officers in doing their job, but the statements that were made to the newspapers, it was to replace officers. Before they do that, they should take that million dollars and correct the problems inside the facilities. We have a roof that's still leaking, nothing has been done. We have pipes from showers and toilets leaking into the ceilings where the officers are working. And we had a walk•around with DPW, the County and ourselves and we identified some leaks, that was because of the rain, that's what DPW said, the roof.

The pipes, supposedly all fixed; well, I have a sample here that was taken just last week and it was from an area where pipes have been leaking, supposedly fixed, well, still leaking. Can't use the excuse of the roof because we haven't had significant rain that would allow water to drip down five floors. We have an additional sample that it can be split that the County can test and our half we're going to be testing. If you're going to spend a million dollars for cameras, I think it's incumbent upon you to force DPW to take that million dollars and repair those facilities. I know it's Capital Project money, work is scheduled to take place, nothing has happened as of yet.

There's plans to change the air handlers in the facility in Riverhead. Well, does that include using the duct work that's already existing? And if it is, that duct work should be scrubbed out and cleaned. Just a week and a half ago, two weeks ago, I do have an officer that has Legionnaire's Disease.



The CDC has been informed and they're investigating, don't know if he contracted it on the outside or while he was working in the facilities. But I'll tell you this, Legionnaire's Disease comes from duct work in the air from mold, spores, all that stuff, and it is prevalent in both the facilities.

The Sheriff is trying to do his best. We have now contacted or the County has contacted a group to train officers and inmates in cleaning the mold; they had one class and then they've changed, through the County's recommending on doing this. Well, the first group, we got their names, we got their credentials, we checked it out, we checked their references; we have no problems with that group. The County says they want to use a safety officer who is at Gabreski Airport, we're still patiently waiting for his credentials and some references. What we want is either one of these two to come in to that facility and assess the problem. We know there's mold there, we have to clean it up, it has to be cleaned up, but if the problems that are causing it aren't identified and aren't taken care of by the Sheriff going out of his way to get that building cleaned up and the officers with the inmates, we're just spinning our wheels.

**CHAIRMAN EDDINGTON:**

What I'd like to do •• we have a couple of questions but I'd like to ask Chief Otto if he could come up and maybe a representative from the County Executive's Office and then we'll proceed with some questions; you just hang in there, all right?

**MR. DAGNELLO:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, thank you.

**MR. DAGNELLO:**

I mean, it's been months now, the beginning of the year.

**CHAIRMAN EDDINGTON:**

I know. Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you, Mr. Chairman. Vito, thanks for coming down.  
It's been brought to our attention ••

**MR. DAGNELLO:**

Numerous times.

**LEG. CARACAPPA:**

Yeah, many times, especially over the years. Though most of the focus over the last couple of years has been on the new facility being built and how much and where and when, a lot of the things going on in Riverhead and the current Yaphank facility have been overlooked. We did bring this up during the last two budget cycles during our Capital Budget proceedings, especially in the working groups. So my question to Jim Maggio, you know, I know we dealt with this primarily in the last Capital Budget for •• that we did for the upcoming year. I know you probably don't have it at your fingertips •• if you do, that would be appreciated •• but could you tell us what those Capital Projects are and the dollar amount that we put in for the Riverhead facility? Because again, it was a very much talked about subject in our working group when we were dealing with the appropriating funds for next year.

**MR. MAGGIO:**

Can I just run and get a Capital Budget?

**LEG. CARACAPPA:**

Yeah, absolutely, because I think it will be very important to the rest of the discussion and questions as we move forward. Thank you,  
Mr. Chairman.

**CHAIRMAN EDDINGTON:**

Okay. Legislator Vilorio•Fisher.

**LEG. VILORIA•FISHER:**

Thank you for being here, Vito. I have a question for you, just so that you can clarify for us about the cameras and the staffing; okay? Because I get

confused about the regulations, because there have to be a certain number of officers, Correction Officers.

**MR. DAGNELLO:**

Yes.

**LEG. VILORIA • FISHER:**

By State Law or Federal Law?

**MR. DAGNELLO:**

Commission, State Commission of Correction sets those guidelines.

**LEG. VILORIA • FISHER:**

By the State, okay. And how would the installation of cameras impact that? I'm trying to clarify that in my own head.

**MR. DAGNELLO:**

Well, the County Exec was the one that is putting the money in to offset the need of officers, that's the impression I got from reading the newspapers, okay. The Commission of Corrections •• and this is probably answered better by the department •• will not allow cameras in the facility to alleviate officers, to reduce the staffing of officers. I think the department can better answer that question, but the commission has told me that they do not authorize cameras to replace officers

**LEG. VILORIA • FISHER:**

Okay.

**MR. ZWIRN:**

I can answer. The cameras are not intended to reduce the number of Correction Officers at the correctional facility, one has nothing to do with the other.

**LEG. VILORIA • FISHER:**

Okay, just so that way we have that on the record, that the installation of cameras will not be taking the place of officers or the supervision of inmates in lieu of officers

**MR. ZWIRN:**

Absolutely.

**LEG. VILORIA•FISHER:**

Okay. Whose quote was that in the newspaper? I never remember seeing that.

**CHIEF OTTO:**

I can bring that to your attention. The Sheriff misquoted in Newsday's article. I actually asked him myself, I said, "Did you say this?", he said, "No, it was a misquote." Cameras do not replace officers.

**LEG. VILORIA•FISHER:**

Okay. Well, then it's important that we have that on the record.

**MR. DAGNELLO:**

Absolutely.

**LEG. VILORIA•FISHER:**

Thank you very much, Chief Otto.

**CHAIRMAN EDDINGTON:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. And while we're waiting for that information, I just want to reiterate what Legislator Caracappa began discussing which is the condition of our existing facilities. And I know over the past two years, when myself and other members toured the Yaphank facility to see the deplorable condition that it was in, reinforced the need to us why it was so pressing to replace that facility. I again, I know I keep coming back to it, but I always go back to the example of Stony Brook University; the State ignored all their facilities for decades and eventually they get to the point where you can no longer repair them and you wind up having to replace everything all at once. We have an opportunity where we can refurbish some of the systems in the Riverhead facility to keep it operational and keep it safe for a longer period of time. It is exceptionally unwise, foolish, to allow these conditions

to persist because eventually we're going to wind up in the same position that we are with Yaphank where the facility is falling apart and we're going to have to replace it, and that's going to cost us far more money than investing in maintenance as we go along. Deferred maintenance is one of the areas that •• you know, when people look at how can we save money they always defer maintenance, and at the end of the day it's very poor budgeting and very poor business practices because you wind up losing the infrastructure in the long•run instead of maintaining it.

So I'll be very interested to hear where this discussion goes and why these conditions have not been remedied to this point and when they will be remedied. Because to me it seems like we're setting ourselves up for another big fall as we did with Yaphank.

**MR. DAGNELLO:**

Can I just make a comment?

**CHAIRMAN EDDINGTON:**

Sure.

**MR. DAGNELLO:**

In and during our walk•through of the facility with DPW and the department, DPW on more than one occasion has deferred the responsibility to the Sheriff, that it's the Sheriff's responsibility to clean the facility and stuff. The Correction Officers and the Sheriff, we clean the facility to work in it, we mop the floors, garbage, painting, stuff like that, but this is structural damage, this is stuff that has to be cleaned by professionals, not inmates, not Correction Officers, not the Sheriff. Until DPW takes the responsibility in cleaning and fixing the problems in that jail, we're not moving forward at all.

**CHAIRMAN EDDINGTON:**

Chief?

**CHIEF OTTO:**

Yes. I guess everybody is aware, but if not, I'll just go over it really briefly. Capital Project 3014 is an ongoing Capital Project for renovation and repairs of the Riverhead facility; this has been ongoing for many years. We roughly

spend a million dollars a year or more in renovating Riverhead. Currently, the latest phase is going out to bid and it does include replacing of the air handlers and a long list of items which is prioritized by a combination of the Sheriff's Office and representatives from DPW, so we have addressed that together and it's an ongoing project. Where we stand together as far as when they open the bids and everything, you would have to address that to DPW.

**LEG. CARACAPPA:**

Mr. Chairman, just on that?

**CHAIRMAN EDDINGTON:**

Sure.

**LEG. CARACAPPA:**

I appreciate •• over the many years that I've been here, we've always done bits and pieces in Riverhead to keep it up to speed before that falls down and we have to deal with that, as Legislator Losquadro said. But if my memory serves me correct, Jim, I think it was much more significant for the upcoming Capital Budget process that we're looking into rehabilitating Riverhead. So back to my original question and along the lines of what Chief Otto was just saying, something rings in my head of at least a couple •  
• at least five million dollars, if not more.

**MR. MAGGIO:**

Over the last several years there's been about \$9.5 million appropriated in the Capital Project so far, and in the adopted budget for 2007 there's 1.14 million in 2008, 1.080 million and in subsequent years 1.090 million.

**LEG. CARACAPPA:**

That's it?

**MR. MAGGIO:**

That's it.

**LEG. CARACAPPA:**

In '06, just a million plus?



**MR. MAGGIO:**

That's correct.

**LEG. CARACAPPA:**

Okay.

**MR. MAGGIO:**

A million and a half.

**LEG. CARACAPPA:**

So for the entire program, you're saying just over three million, \$4 million?

**MR. MAGGIO:**

Close to five.

**LEG. CARACAPPA:**

That's where I got that five million number from.

**LEG. LOSQUADRO:**

Right.

**CHAIRMAN EDDINGTON:**

Okay, thank you. Legislator Horsley

**LEG. HORSLEY:**

Yeah, hi, Vito. Just a quick question ••

**LEG. LOSQUADRO:**

I don't think the mike is on.

**LEG. HORSLEY:**

Okay. When they did the walk•through and they say, "Well, it's the roof versus the pipes," did they come to a conclusion, they still think it's the roof?

**MR. DAGNELLO:**

That's the answer they give us on everything is the roof. And when we

stood in front of a pipe that was actually leaking that was from a shower, they said it wasn't leaking.

**LEG. HORSLEY:**

It was actually running along pipes and down the ••

**MR. DAGNELLO:**

Yes.

**LEG. HORSLEY:**

Does that make a difference as far as mold? I mean, that's ••

**MR. DAGNELLO:**

Well, those pipes that I identified there that we showed them where it was leaking, actually leaks in to the control room where five officers, six officers work and it's like a fish tank, and that's what's leaking on the tiles. And what the County does or DPW does is they say they fixed the pipes and then they change the tiles, and in two months the stains on the tiles are back.

Now, this leak is from an area that was fixed a year ago, supposedly, and in the beginning of this year. And this is not fixed, the tiles have been replaced and cleaned but the leaks are still there. Now we took an actual sample and now I'm offering the County to take half that sample and send it out, because the safety officer, Mr. Alippo, I trust as far as I can throw him.

**LEG. HORSLEY:**

Okay. So maybe what we could do is I could pray on Legislator Schneiderman before who is going to be •• we'll have Public Works right after this, we'll bring this question to them at that point in time to assure us one way or the other, is it the roof, is it the •• either way, mold is mold and something has got to be done about it, at least to stop the water flow. So we will take that issue up at that hearing when we have the Public Works people before us. So thanks for bringing it to our attention.

**MR. DAGNELLO:**

Thank you.

**CHAIRMAN EDDINGTON:**

One last thing. I just took a quick little survey here and what we're going to do, the Public Safety Committee is going to request a tour. We're going to see with our own eyes, bring our own notebooks and our aides who will remember what we saw, and then we're going to deal with this. All right? We'll be setting that up in the near future.

**MR. DAGNELLO:**

Thank you.

**CHAIRMAN EDDINGTON:**

Okay, thanks for coming today. Okay, let's get the agenda.

**Tabled Resolutions**

***IR 1814•06 • A Local Law to enhance implementation and enforcement of the "DWI Seizure Law" by towns and villages located outside the County Police District (Schneiderman).*** Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Yeah, we had the hearing on this, right? We closed it, I believe. I'll make a motion approve.

**CHAIRMAN EDDINGTON:**

Before we vote on the motion, I was just wondering if we could have the County Attorney, you guys were going to be dialoging?

**LEG. SCHNEIDERMAN:**

Yes, that's fine.

**MR. BROWN:**

We have no legal objection to it at this time.

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. SCHNEIDERMAN:**

It just closes some technical problems we had with the original bill. Some of the towns and villages aren't enforcing the DWI law because of •• there were some things that we feel were left out of the original law; for instance, there's no time frame by which the vehicles that are seized will get picked up from these districts. This actually establishes a time frame after the administrative officer makes a determination that the vehicle is going to be seized. There is now a mechanism by which the towns that are outside the Police District become alerted, it also increases the compensation from I think 200 to \$300. It's still a loss for the towns, but it's a little bit less of a loss. And some of the hearings will be held in Riverhead rather than in Islip, Central Islip, which is a little bit more convenient.

**LEG. VILORIA•FISHER:**

Through the Chair, may I ask the sponsor a question about this issue?

**CHAIRMAN EDDINGTON:**

Yes, Legislator Viloria•Fisher.

**LEG. VILORIA•FISHER:**

Regarding the forfeited vehicles, would that present a complex issue for the County? I mean, then they would have to tag the forfeited issues that are •  
• the forfeited vehicles from outside of the district and then when that comes to auction that money would have to be set aside and put back in that district? I'm just curious as to how that would work.

**LEG. SCHNEIDERMAN:**

That isn't changing accept we have established a mechanism by which if a district believes a vehicle that was seized could be used or they desire it to be used for legitimate law enforcement purposes, there is a mechanism by which the claiming authority, which is the County Attorney, can transfer it back to that Police District for like an undercover operation. But in terms of the finance, typically these cars auction for about a thousand dollars. It doesn't cover the County's cost now, between stenographers and attorneys and everything else, it's not a moneymaker for the County; that aspect of this law isn't changing, that's identical to the way it is now.

**LEG. VILORIA•FISHER:**

Okay. I just saw •• I had seen some ••

**LEG. SCHNEIDERMAN:**

The towns get nothing for that, the towns that seize the vehicles, except for instead of \$200 they'll get \$300 for their role in it.

**LEG. VILORIA•FISHER:**

Okay. Maybe I could just ask ••

**LEG. SCHNEIDERMAN:**

But they get nothing •• if the vehicle is ••

**LEG. VILORIA•FISHER:**

Let me just ask Counsel. I'll read the language ••

**LEG. SCHNEIDERMAN:**

Just one clarifying on that. If the car were auctioned off, let's say it was a Mazaratti and it got \$100,000 at an auction, the towns would still only get their \$300. That money goes to the County and it gets distributed, a certain amount, and maybe the County Attorney can explain, but the DWI Program gets I think 70% of it and 30% of it goes toward the administrative costs.

**MR. BROWN:**

Actually, I'm not familiar with the way the percentages are broken down at all, I'd have to get back to you on that issue.

**LEG. SCHNEIDERMAN:**

I believe that's right, 70% goes to Stop DWI and 30% to the administration.

**LEG. VILORIA•FISHER:**

Okay. I just would like to read this paragraph, just so it's clear in my own mind. "Notwithstanding the provisions of paragraph A of the subsection, the claiming authority shall transfer the forfeited property or asset to the outside law enforcement agency;" that means outside of the Police District?

**LEG. SCHNEIDERMAN:**

Yes.

**LEG. VILORIA•FISHER:**

"That made the original seizure, provided that the outside law enforcement agency has notified the claiming authority prior to the forfeiture of its intent to use the property or asset for law enforcement purposes." I'm not seeing percentages in this paragraph, so I was just confused about that. And I was wondering regarding the forfeited vehicle as an asset, would the assets then •• where would it be earmarked, at the time that the vehicle is seized it would be earmarked that it was seized outside of the Police District? And then the auction, would that occur within the Police District and then would the monies be transferred back to the seizing authority? It sounds like it could be cumbersome.

**MR. BROWN:**

And with respect to the actual procedure and the percentages, I would really have to get back to you on that question; that question I don't know the answer to.

**LEG. SCHNEIDERMAN:**

I could answer that.

**CHAIRMAN EDDINGTON:**

Why don't you do that.

**LEG. SCHNEIDERMAN:**

What that language is referring to is those times which the outside agency, this is outside the Police District, if that outside agency believes that that vehicle, that they want to retain it, that that vehicle they believe can be used for legitimate law enforcement purposes, they have to notify, you know, in writing the County Attorney which is the claiming authority. That's how it's defined in the bill, they have to notify them that they have a desire to retain this vehicle. So after it is seized, there's a mechanism by which it can be returned if the County Attorney determines that this is for legitimate law enforcement purposes; and if they cease to use it in that fashion, the County can take the vehicle back. But there is no money because the car is not being auctioned, it's just coming back.



**LEG. VILORIA • FISHER:**

So if a village Police Chief thinks that a Mazaratti that was just seized would be good for law enforcement to ••

**LEG. SCHNEIDERMAN:**

Well, if they're trying to pretend they're a drug dealer or something, or an undercover operation.

**CHAIRMAN EDDINGTON:**

Let's have Counsel jump in here.

**LEG. SCHNEIDERMAN:**

You know, I don't think it's going to be abused by any of the Police Departments.

**LEG. VILORIA • FISHER:**

I was just curious to the process.

**LEG. SCHNEIDERMAN:**

Right now the County Attorney can also transfer it to the Police District or any other agency within the County as well without auctioning it off, if the County Attorney decides to do that. So they can get a Mazaratti in today seized within the Police District, or actually seized anywhere within the County, and they could keep it for whatever purposes they thought were appropriate under the current law.

**MR. BARRY:**

The Legislator is correct, the transfer of funds only happens if the vehicle is sold; if it's not sold and it's used for law enforcement purposes then, I mean, the property itself could be earmarked. But if the vehicle itself is sold, then those funds go into the County General Fund, those don't have to be transferred to outside.

**LEG. VILORIA • FISHER:**

Okay, that was my question. Because when I read asset, it could refer to any kind of asset in any form, either the vehicle itself or the auction

proceeds.

**MR. BARRY:**

Right, but that would only apply once the vehicle is sold, if at all.

**LEG. VILORIA•FISHER:**

Okay, thank you.

**CHAIRMAN EDDINGTON:**

Okay. On the motion? Do I have a motion?

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Schneiderman. I'll second it.

All those in favor? Opposed? Abstentions? ***Approved (VOTE: 7•0•0•0).***

### **Introductory Resolutions**

***2094•06 • Establishing a policy to restrict placement of sex offenders (Browning).*** Sponsor?

**LEG. BROWNING:**

I'll make a motion to approve, to start.

**LEG. VILORIA•FISHER:**

I'll second it.

**LEG. HORSLEY:**

I'll second the motion.

**CHAIRMAN EDDINGTON:**

Counsel?

**MR. BARRY:**

Do we have a fiscal impact statement? Because I don't.

**MR. MAGGIO:**

Yes, I do.

**MR. BARRY:**

I just need to know that you did it.

**CHAIRMAN EDDINGTON:**

Okay, Mr. Zwirn.

**MR. ZWIRN:**

Yes. Thank you, Mr. Chairman. The County Executive's Office, we would ask if this could be •• I know this is a very sensitive matter and something we have to move very quickly on. We're trying to set up a meeting •• what we're trying to do is make sure that when this bill is passed it accomplishes everything that it sets out to do and that we just don't push the problem off to somewhere else.

Legislator Caracappa I think led the movement in this trying to get anybody who was going to Social Services, first they would have to ask the question to identify them to make sure that they knew who they were dealing with, if they were sexual offenders that were coming out of institutions so that Social Services would be aware of it. In some counties they don't even ask; Nassau County, for example, I think up until recently they didn't even ask. Under Legislator Caracappa's bill, Suffolk County did, and while it solved a big problem, we wound up with the Brook Motel incidents. Because what happens is is that sometimes when you're solving one problem you're pushing the problem off somewhere where you hadn't anticipated it.

The County is actively looking at a way to try to resolve this in the best way it can, looking for a location that's much more suitable. We have even toured the idea of putting it within the bounds of the Riverhead Correctional Facility where it would be monitored 24•hours a day behind barbed wire; we don't know if it's possible, whether it's legal to do that, the State has to get involved. But we're anxiously trying to find some way to try to alleviate communities from bearing the burden that they're bearing right now with these individuals. It's not something that the County goes out looking to

place individuals of this nature in somebody's community, nobody wants them. I mean •• and Legislator Browning is responding as is Legislator Caracappa.

We're trying to set up a meeting with Legislators that would like to attend; we've invited Legislator Browning, DSS, Janet DeMarzo will be there. We've asked Legislator Browning to invite Laura Ahearn, Legislator Caracappa I'm sure would want to be there, as I'm sure would most Legislators, to try to address this, to try to look at where this goes progressively so that we don't just push the problem somewhere else and we're trying to solve this. And I understand the urgency of this, we're not looking for a long •• we're not looking to push this off, we're looking to get it resolved, but we're trying to get it resolved in a way that will make it safe for all communities in Suffolk County.

So, you know, I'm in an awkward position of trying to say can we just put this off for just one Legislative cycle so that we can take a good hard look and just beg your indulgence and the community's indulgence. I know it's not an easy thing, it's not something that we're, you know, we're saying we're in support of putting these people in communities, we're trying to find an answer to try to alleviate it without coming up with something that we hadn't anticipated.

**CHAIRMAN EDDINGTON:**

Okay. On the motion, Legislator Caracappa.

**LEG. CARACAPPA:**

Well, first and foremost, when is that meeting, Ben?

**MR. ZWIRN:**

I don't •• has the date been set for that?

**MR. PERILLIE:**

October 30th.

**MR. ZWIRN:**

October 30th.

**LEG. CARACAPPA:**

I'll get the information, the rest of the information later.  
To the sponsor ••

**LEG. HORSLEY:**

Question on the motion.

**LEG. CARACAPPA:**

I'm sorry.

**LEG. HORSLEY:**

No, go ahead. I'm sorry, Joe. I didn't realize you weren't finished.

**LEG. CARACAPPA:**

The incident in your community obviously has been spotlighted recently, not new to communities that we all represent. My question to you, though, they were strictly •• they weren't strictly County placements that were the majority of those sexual predators or convicted sexual predators in your community, were they, that we're talking about here?

**LEG. BROWNING:**

Okay, we have a couple of problems. We have Gordon Heights area which has what they call the Dotson houses and some of them are receiving DSS. The home in Mastic on Eleanor, two are on parole and were receiving DSS services; however, there were four others. This bill pertains at this time only to people who have receiving any services from DSS.

**LEG. CARACAPPA:**

The reason I ask that is unfortunately, since I passed my bill a couple of years back, it hasn't been adhered to strictly, and that's really the crux of my question to you. Were some of these placements ones that, again, fell through the cracks by way of social •• Department of Social Services being lax on the statute? Was it within a certain amount of feet from a playground, a school, a synagogue, a church, senior center and the other criteria outlined; was that the case with any of these that you're talking about?

**LEG. BROWNING:**

The home on Eleanor, it wound up there's the {Puspatuck} Indian Reservation.

**LEG. CARACAPPA:**

Oh, right.

**LEG. BROWNING:**

And they have a community center. It is ••

**LEG. CARACAPPA:**

The educational center.

**LEG. BROWNING:**

Yeah, and we had to go through a lot to show that it does qualify under the Quartermine Law, and it did. However, I believe in the Dotson Homes there are just I believe 39 sex offenders within a couple of blocks, this is a residential community. And again, I see there is a saturation in certain communities, in working class communities, in residential areas and, you know, it's inappropriate to put them where there's so many children.

**LEG. CARACAPPA:**

Agreed. Again, what I'm trying to get to is to make sure that the original statute is being met, and if it's not it should be and it could alleviate some of the problems that your community, my community, Dan's community, everyone's community is dealing with. So I do support this 100% ••

**LEG. BROWNING:**

Thank you.

**LEG. CARACAPPA:**

•• and I'll ask to be a cosponsor. But we do have to make sure that the Department of Social Services •• who were very, very concerned about the bill originally, didn't want to do it, we really had to pull teeth to get them to do it •• to make sure that they're doing their job as well.



**LEG. BROWNING:**

Well, the Quartermine Law, what we're actually doing, we have them doing is •• and I know Laura Ahearn has gone up and met with the Gordon Heights residents to look at the Quartermine Law and are there homes in that area that will be falling under that; at this time, we don't have that answer. However, you know, the reality is, what I see and what the people in the community see is that •• in fact, if you read the paper, there's one gentleman, his name is John I believe, and he said, he came out of a jail in Cayuga and was given Mary Dotson's address and how to contact her to come to Gordon Heights because this is where you're welcomed, you know, that's a problem. I'm looking at Division of Criminal Justice, there's •• I have the numbers of every County and how many sex offenders in every County; Nassau County and Suffolk County are pretty much close to the same population, however Nassau County is only half as many sex offenders. My concern is are we putting out a welcome mat for them and telling them, "Come on down because we'll find a place for you to live"? We can't do that.

**LEG. CARACAPPA:**

And pay for it.

**LEG. BROWNING:**

We can't do that. And I can tell you, I know even in my zip code there's a sex offender on parole from Georgia and he was accepted into this state from Georgia; he's now back in jail because he didn't behave himself, he tried to get some more children again. So he, I believe, if I'm not mistaken, I know we have some people from Probation here, but he's currently in jail, he'll be allowed out of jail and to the best of my knowledge he'll go back to the address that he's in, and he's •• Georgia wouldn't accept him when he violated his parole. So I'm concerned that we're putting out a welcome mat.

**LEG. CARACAPPA:**

Thank you.

**CHAIRMAN EDDINGTON:**

Legislator Horsley.

**LEG. HORSLEY:**

Yeah, just quickly. Ben, I understand your position, your concern that you want to work the bugs out of the resolution and how it's going to work, move forward into the future, but it's clear that the Legislature's will is going in a certain direction. Would it make any difference at the end of the day, if we move this forward and you work out the bugs with the issue later, after we move this towards legislation? Because I don't think we're going to change our minds on this issue. All you're doing is saying let's talk about it; you're going to talk about it and work out the bugs about it anyway, so this way you'll have where you've got to be and what you've got to work out the bugs for at the end of the day. I don't see why we need to go •• I see why you need the meeting, but I don't see why we just can't pass this and you work out the bugs later.

**MR. ZWIRN:**

We're trying to make sure that the bill is passed and can be completely enforceable without having any side effects that we haven't anticipated, and we're trying to invite all the players to the table so we can do that. We don't want to, you know, be in a position where we have a bill that's either unenforceable or a bill that is going to push the problem somewhere else. We're not asking for an inordinate amount of time and we're all in •• we're all in agreement here, nobody is going to go out there and defend sexual predators going into communities. So, I mean, if we had our druthers, we'd send them all somewhere else; I won't pick a state in particular, Georgia might not be so bad. But you know, it would be nice to give them a check of \$200 cashable only in a bank somewhere as far away as possible.

**LEG. HORSLEY:**

All I'm saying is you have your parameters if this legislation passes and then you'll work out the details after the fact; I don't think that's inappropriate.

**MR. ZWIRN:**

Well, the only thing we wanted to have a chance to do is be able to sit down with advocates like Laura Ahearn, Chief Rau from the department, people who have worked on the issue, Legislator Caracappa, Legislator Browning and anybody else who would like to attend. DSS has a mandate from the

State; whether they like it or not, when a homeless person comes to them, they have to help them find temporary housing. I mean, no matter who they are, whether it's a family that's down on their luck or a single mother or a sexual predator who comes across their doorstep, I mean, that's their obligation under State law to do that. It's not something anybody likes to do, but that's •• you know, otherwise losing, you know, getting their license pulled and losing their State certification and everything else.

**CHAIRMAN EDDINGTON:**

I'm going to turn this over to Legislator Browning to see what she'd like to do.

**LEG. BROWNING:**

I don't know what I want to do these days.

**CHAIRMAN EDDINGTON:**

Would you ••

**LEG. BROWNING:**

Plum Island works for me. However, I know there's a problem with finding homes for these sex offenders. I understand they have to live somewhere, you know, but it is our responsibility to protect our most vulnerable which is our children and our seniors. You know, it's not acceptable to saturate a residential area. These are people who pray on children, and just because the rentals are more affordable, it's just not acceptable. You know, the 3rd Legislative District is a working class community and many people, including me •• you know, I moved there because it was affordable and because I could buy a home there and raise my kids. Saturating communities with sex offenders, you know, it's unfair to the residents of that community because they want to raise their children in a safe community. You know, your home is your investment and property values decrease. When you have a saturation of sex offenders or sober homes or whatever it may be, it certainly affects your property taxes •• sorry, it affects the property of your home. And, you know, the people in the Shirley Mastic area, in Gordon Heights area, have a right for their property values to increase just like everywhere else on Long Island, and that's what I see.

Commissioner DeMarzo. This bill has been introduced for quite some time and she has not called to express her concerns with me about my bill, you know. So at this time, I understand what you're saying, I will meet with her, but my responsibility is to the residents of the 3rd Legislative District. So I will table it for one cycle and one cycle only, so next time around, no matter what the decision is or what that meeting •• what comes out of it, this bill is going through and I know that my colleagues will support it.

**MR. ZWIRN:**

I appreciate that. And again, our only concern is not to oppose the bill, just to make sure it works and works to its fullest.

**LEG. VILORIA•FISHER:**

Jack, I'll second the motion.

**CHAIRMAN EDDINGTON:**

Okay, so ••

**LEG. VILORIA•FISHER:**

But I'd like to say something.

**CHAIRMAN EDDINGTON:**

Legislator Browning is withdrawing her motion to approve with a tabling motion and it's been seconded by Legislator Vilorina•Fisher.

**LEG. VILORIA•FISHER:**

And on the motion, I would just like to say something regarding this. I know that there was some •• there was some conversation regarding the term placement where the parsing of words and, you know, semantics has come into it and saying that the Commissioner is not actually placing sex offenders there, that a list is given to people of affordable rentals. And I don't want this issue to break down into semantics, I want there to be a true, good faith effort to uphold the spirit of this legislation and to protect neighborhoods from being saturated the way they're being saturated. So I think we had all hoped that we could just approve of this and then, as Legislator Horsley said, go forward and work out the kinks, but I don't want it to get hung up and then have it vetoed or perhaps have it delayed further,

and so that's why ••

**LEG. BROWNING:**

There will be no hang•ups next time.

**LEG. VILORIA•FISHER:**

There will be no hang•ups next time, but we want to make it really clear that we're going to be watching that this legislation is upheld because it's the quality of life of our children and their ability to go out and play without worrying about the saturation in their neighborhoods.

**CHAIRMAN EDDINGTON:**

I'm going to also add, I spent two hours yesterday in Gordon Heights Civic Meeting and this was the topic. And they asked me to pass on to the Health Department that while we're tabling this, they would like to have a moratorium on giving out any more addresses in these areas that we've mentioned, so this way there's at least something proactive. We do not want them to be given addresses in these areas at this time until we resolve this issue adequately.

**MR. ZWIRN:**

You mean Social Services.

**CHAIRMAN EDDINGTON:**

Yes, I'm sorry, Social Services. So if we could pass that on, I would appreciate it. So on the motion, we have a second •• oh, I'm sorry, Legislator Caracappa.

**LEG. CARACAPPA:**

I'm sorry to continue on this, but I think it is important, along with what Legislator Vilorina•Fisher said. When is the next committee meeting; do we have the date?

**MR. PERILLIE:**

November •• the 21st is the next General Session.

**LEG. CARACAPPA:**

Okay, so it's half this October 30th meeting. You foresee this being a one meeting deal?

**MR. ZWIRN:**

Absolutely.

**LEG. CARACAPPA:**

Okay, that we all come to the table with some ideas and that we could •• because I do agree with you. Even though my legislation I thought was a good piece of legislation and so well•intended, unfortunately what came out of it was the consequences that effected Legislator Horsley, then Bishop's district, with the Brook Motel. And, you know, through every action there's a reaction of some sort, and in this instance ••

**MR. ZWIRN:**

And sometimes you don't see it until after the bill is passed and then there's fallout.

**LEG. CARACAPPA:**

So I do agree with you in that sense, especially on an issue like this, that we should try and do everything we can to see what the next reaction or the next instance will be based on our actions on this bill which, again, though we're tabling for that one reason and one reason only, to make sure there's not a domino effect, where it effects another community in a negative sense. We will adhere to the one tabling, but we do 100% support this bill; it's easy for me to say, but not in that town, and I know it's easy for all of us to say. But I just want that on the record and I want it to be clear to the public, this bill will be passed and it will get a hundred percent support and we'll move forward at the next meeting.

**LEG. BROWNING:**

Thank you.

**LEG. VILORIA•FISHER:**

Cosponsor.



**CHAIRMAN EDDINGTON:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I think the bill is a good and necessary idea as well. I'm just wondering on a local level where these houses that they're being put in, and I know DSS, like Ben was saying, is trying to comply with State law, but there's also town zoning. I don't know the zoning area, but I know most towns have single family residences and you just simply can't put a bunch of unrelated people into a house without violating the code and turning it into something that's more like an apartment.

**LEG. BROWNING:**

Yeah, that is something that I'm working on with the Town of Brookhaven because there are so many of them. And I know Connie Keppert, the Councilwoman, is looking at that specifically because of Gordon Heights. However, the same thing with the police issue that we heard recently was the Town of Brookhaven, I believe we need to change some of our town laws and I think that would certainly make a difference.

**LEG. SCHNEIDERMAN:**

Right, and beef up some ordinance enforcement.

**CHAIRMAN EDDINGTON:**

Yeah. On that issue, the town ordinance I believe is no more than eight unrelated individuals, which is, what, too many in this case. Yeah, that's the ordinance, we're working with Brian Foley to look at that.

**LEG. VILORIA • FISHER:**

But to further clarify that, if I may?

**LEG. SCHNEIDERMAN:**

I was going to say, even with that, it probably is zoned as a single family residence.

**LEG. BROWNING:**

It is.

**LEG. SCHNEIDERMAN:**

So even if you have some unrelated people, it's supposed to be a family in there of some kind.

**LEG. VILORIA•FISHER:**

To further exacerbate the problem, it's one woman who owns a number of homes that are near one another and that's why that population rises so much. It's not all within one house, she owns a •• because I also represent part of Coram and at the Coram Civic this was a major topic of discussion. So it's one owner, Mary Dotson, who owns a number of homes there.

**LEG. SCHNEIDERMAN:**

Yeah. I just wanted to point out there might be, you know, some •• at least some avenues within local zoning and code enforcement, but it still doesn't take away the validity of this law because I think this is a good law, Kate.

**CHAIRMAN EDDINGTON:**

Okay.

**LEG. BROWNING:**

Can I ••

**CHAIRMAN EDDINGTON:**

Last question.

**LEG. BROWNING:**

Okay. You know, one of the things is •• because my bill pertains only to people who are receiving DSS, you know, it's through the County. I know currently Probation is not housing more than one to a home. However, you know, I believe that Commissioner DeMarzo had mentioned, we have over 800 sex offenders in Suffolk County and I believe the last time I spoke with her, the number of sex offenders would fall under this bill is a very small percentage. So I hope that •• and I do expect that she'll have those numbers when we meet.

**MR. ZWIRN:**

Sometimes the number in a week could be zero and sometimes it could be five or six, it fluctuates.

**LEG. BROWNING:**

Then this bill wouldn't hurt that much.

**CHAIRMAN EDDINGTON:**

Okay, then. We have a motion and a second. All in favor? Opposed? Abstentions? Okay, ***tabled (VOTE: 7•0•0•0).***

***IR 2131•06 • Amending the 2006 Capital Budget and Program and appropriating funds in connection with the purchase of Digital Photography Equipment (CP3504) (County Executive).*** Do I have a motion?

**LEG. HORSLEY:**

Motion to approve.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Horsley, second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?  
***Approved (VOTE: 7•0•0•0).***

***IR 2173•06 • A Local Law establishing crime prevention requirements for scrap metal dealers (County Executive).***

**LEG. LOSQUADRO:**

Motion to table.

**CHAIRMAN EDDINGTON:**

Motion to table for a public hearing.

**LEG. VILORIA•FISHER:**

Second.

**CHAIRMAN EDDINGTON:**

Second by Legislator Viloría•Fisher. All those in favor? Opposed?

Abstentions? ***Tabled (VOTE: 7•0•0•0).***

***IR 2177•06 • A Local Law to prohibit skateboarding at County  
•owned or operated facilities (Presiding Officer Lindsay).***

**LEG. CARACAPPA:**

Did we have changes based on the County Attorney's representation?

**MR. BARRY:**

No, but I believe this has to be tabled for a public hearing.

**CHAIRMAN EDDINGTON:**

Yeah, this has got to be tabled for a public hearing.

**LEG. CARACAPPA:**

Oh, it's a Local Law, sorry.

**CHAIRMAN EDDINGTON:**

Motion to table for a public hearing by Legislator Browning.  
I'll second it. All those in favor? Opposed? Abstentions?

***Tabled (VOTE: 7•0•0•0).***

***2189•06 • Amending the ••***

**LEG. VILORIA•FISHER:**

Can I ask a question before we leave that?

**CHAIRMAN EDDINGTON:**

Question by Legislator Viloria•Fisher; to who?

**LEG. VILORIA•FISHER:**

Legislator Caracappa?

**LEG. CARACAPPA:**

Yes.

**LEG. VILORIA • FISHER:**

Does this mean •• I guess I should read this more carefully and wait until we get to the public hearing, but would this preclude ever having a skateboard park?

**LEG. CARACAPPA:**

No. You see, what's happening is just as the case was in Armed Forces Plaza a couple of years ago where we stopped skateboarding there via resolution, the new park in •• well, the newly refurbished park with the monument to War Veterans in Ronkonkoma, Raynor Beach Park, it's beautiful, we just put a couple of million dollars into it; the monument primarily is being destroyed by skateboarders. So what we're trying to do is set a policy in certain parks where you shouldn't be skateboarding such as on top of monuments and new playground equipment and curbs and things of that nature, that it won't be tolerated or prohibited •• and it will be prohibited. But of course it would not •• this hopefully •• Dan just leaned to me and said, "Now I feel like I'm officially the man in passing this bill," and he's right. Hopefully this encourages us to recognize the fact that we do need skateboard parks and things of that nature designated, in-line skating and skateboard parks because it's a huge sport, it's being done by so many kids nowadays and I think we all hear it at our local civics now, they show up and they're asking for skate parks. So though this won't preclude it from happening, hopefully it will encourage it happening.

**LEG. VILORIA • FISHER:**

There's a bumper sticker, "Skateboarding is not a crime".

**LEG. CARACAPPA:**

That's right.

**CHAIRMAN EDDINGTON:**

Okay. ***IR 2189•06 • Amending the 2006 capital Budget and Program and appropriating funds in connection with the purchase of security equipment for Suffolk County Correctional Facilities (CP 3035) (County Executive).*** Do I have a motion?

**LEG. LOSQUADRO:**

In light of the discussions that we had at the beginning of this committee, I'm going to make a motion to table until such time that we tour the facility and we decide where and we're going to be expending funds on the Riverhead Correctional Facility.

**CHAIRMAN EDDINGTON:**

Okay, I have a motion to table by Legislator Losquadro.

**LEG. CARACAPPA:**

I'll second.

**CHAIRMAN EDDINGTON:**

Mr. Zwirn?

**MR. ZWIRN:**

Through the Chair, we would ask that the committee pass this. The Sheriff has asked for this to be done. One has nothing to do with the other. The facility itself, if more has to be done •• and I did the tour on the last go•around and I don't remember it being as bad as Vito has said it is, but you'll be able to see for yourselves on your tour; we did the Yaphank Jail and we did the Riverhead Correctional Center. Public Works went through with air samplers, I mean, we were everywhere, we saw the discolored tiles, they were taken out for testing.

I think the camera issue should be considered separate and apart. It's not going to take away any posts or any positions for the CO's, we stated that on the record, that's an absolute fact. But we would get •• we'd like to get these cameras, get the installation as quickly as possible because it's security for not only the CO's, for the inmates, it's just a good policy to have these security cameras in the facility.

**CHAIRMAN EDDINGTON:**

Okay. Well, I have a motion to table.

**LEG. CARACAPPA:**

Second.

**CHAIRMAN EDDINGTON:**

A second by Legislator Caracappa.

**LEG. HORSLEY:**

For one round?

**CHAIRMAN EDDINGTON:**

All in favor? On the motion, you would like to say a word?

**MR. DAGNELLO:**

Before you throw a million dollars ••

**LEG. LOSQUADRO:**

You've got to use the microphone.

**CHAIRMAN EDDINGTON:**

We have to have it for the record.

**MR. DAGNELLO:**

Thank you. Before you put a million dollars for cameras, I would like to see that put into the Capital Projects more than a million dollars a year so it would increase the Capital Projects that are to be done in that facility. Like I said about the handlers, they're putting handlers in to blow air into ducts that have not been cleaned. So you're taking money that was put in to last year's budget of \$750,000, I believe that was the thing, that's just for the handlers, there's no money there to clean those ducts. So take that million dollars and put it into the Capital Projects to try and correct the roof leaks, the pipes leaking and clean the duct work the appropriate way.

**CHAIRMAN EDDINGTON:**

Okay, thank you. Chief?

**MR. DAGNELLO:**

So I ask that that be tabled.

**LEG. SCHNEIDERMAN:**



Before Vito steps down, I had a question for him.

**CHAIRMAN EDDINGTON:**

Okay, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

In trying to assess the severity of any potential health risk, you had said earlier you made reference to somebody with Legionnaire's Disease; did I hear that right?

**MR. DAGNELLO:**

Yes.

**LEG. SCHNEIDERMAN:**

Now, is that an official diagnosis?

**MR. DAGNELLO:**

That was done by his doctor and the CDC was notified and I believe the County was notified also.

**LEG. SCHNEIDERMAN:**

Which facility is he working at?

**MR. DAGNELLO:**

I believe he's in the Yaphank facility, but both facilities have the mold problem. I know Mr. Zwirn would tell you that it doesn't look that bad; that's because the Sheriff has had officers and inmates washing it down, cleaning it, painting over the mold.

**LEG. SCHNEIDERMAN:**

Right, so •• that's fairly serious, Legionnaire's Disease, as you know.

**MR. DAGNELLO:**

Yes, it is.

**LEG. SCHNEIDERMAN:**

It sounds to me, if that's the case, we need to do some kind of, you know, immediate public health risk assessment.

**MR. DAGNELLO:**

Well, the CDC I believe is investigating whether it was from the facility or contact on the outside.

**LEG. SCHNEIDERMAN:**

We may have some more information on this.

**CHAIRMAN EDDINGTON:**

Okay. Chief?

**CHIEF OTTO:**

The Sheriff's Office has been in contact with the CDC and the CDC is no longer interested in it because apparently you can get Legionnaire's Disease also from stagnant water, camping and things like that; the individual was on vacation two weeks camping. They were aware of the situation, they did not come in to do an interview with him, okay. They got the information, okay, they looked at where he was, okay, and nobody else got the disease; that's a big ••

**LEG. SCHNEIDERMAN:**

So there's been a determination that it was •• the person who has Legionnaires did not get it from the County facility.

**CHIEF OTTO:**

I don't know if they made that determination, okay, they're not pursuing it any further at this time.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN EDDINGTON:**

Okay, on the motion, I would just like to add that I do have a concern of tying these two things together, because I am concerned with security and help for our Correction Officers. And I hate to give up one thing so that we can get •• I'd like to see both of these things happen and I hate to have to pick between two because I don't want to vote against anything that could

be adding to the security of, you know, the Correction Officers. It does not mean that I'm not going to be a hundred percent for the remediation, and I think we all agree that needs to be done. But I hate to give up on something that could help you right now.

**LEG. CARACAPPA:**

Mr. Chair?

**MR. DAGNELLO:**

Putting a million dollars in the budget for cameras, I could tell you those cameras, by the time we go through bidding and everything, we've been working on cameras and we've been part of that for six, seven years now. So putting a million dollars in the budget this year, I still say those cameras aren't going to be in there, but put a million dollars in there to cleaning and preparing it, it should be able to be done while they're doing the work on the air handlers.

**CHAIRMAN EDDINGTON:**

All right, Chief, one last word.

**CHIEF OTTO:**

There's two separate issues here, so we came prepared today to give a handout to every Legislator here regarding the cameras, and we also would like to read something into the record, if you so desire. But also, there's a possibility, since 3014, the Capital Project to renovate all the facilities in Riverhead, it's set up with monies that are prioritized by representatives from the Sheriff's Office and DPW thinking which is more important, which is going to break down first, which has to be repaired first; that can be changed. Okay, that could be changed, maybe with some dialogue from the union, to what they think should be the number one concern. So maybe, you know, that's a possibility, meeting with DPW to figure out •• you know, maybe they want to change the priorities.

**LEG. VILORIA • FISHER:**

How much is in that 3014?

**CHAIRMAN EDDINGTON:**

Legislator Viloría•Fisher.

**LEG. VILORIA•FISHER:**

How much is in that 3014?

**CHIEF OTTO:**

I'll let Budget Review. In the meantime, is it okay if I hand out this handout to all the Legislators

**CHAIRMAN EDDINGTON:**

Sure.

**LEG. CARACAPPA:**

Mr. Chairman, while he's doing that, I'd just like to put something on the record.

**CHAIRMAN EDDINGTON:**

Yes, Legislator Caracappa.

**LEG. CARACAPPA:**

Though I'm not •• personally, I'm not trying to link the two with my second to table, I see it where we're going to the jail for a tour, there has been some concern, not brought to me by Vito or the union but by people who work in the jail about the cameras themselves. And I think this would be a perfect opportunity, aside from the handout and the information that's being provided to us today, it would be a perfect opportunity for us to go and see firsthand just what they're talking about by way of placement, what they're trying to achieve by those placements of those cameras and we can kill two birds with one stone as opposed to linking, linking these issues together. I think they're two separate issues and I think it would be a great time for us to get a real firsthand look as to what they're talking about and what they're trying to achieve by placing the cameras.

**CHAIRMAN EDDINGTON:**

Okay, thank you, Legislator Caracappa. Okay, then we have a motion and a second on there. All in favor?

**MR. MAGGIO:**

You want this information?

**LEG. VILORIA•FISHER:**

Budget Review is answering my question.

**CHAIRMAN EDDINGTON:**

Oh, I'm sorry. Go ahead, Budget Review.

**MR. MAGGIO:**

In 2006 there was \$1.5 million and in 2007, 1.140.

**LEG. CARACAPPA:**

But over the program it's five?

**MR. MAGGIO:**

Yeah, over the whole entire program through subsequent years, it's approximately five million.

**CHAIRMAN EDDINGTON:**

Anybody else? Okay.

**LEG. VILORIA•FISHER:**

Okay, thank you.

**CHAIRMAN EDDINGTON:**

Okay. We have a motion and a second. All in favor of table?  
All opposed? Any abstentions? Okay, ***the motion is tabled***  
***(VOTE: 7•0•0•0).***

**LEG. HORSLEY:**

One cycle.

**LEG. VILORIA•FISHER:**

Another cycle.

**CHAIRMAN EDDINGTON:**

Right.

**LEG. CARACAPPA:**

For a field trip.

**CHAIRMAN EDDINGTON:**

Field trip, yes.

**Memorializing Resolutions**

***MR 070•2006 • Memorializing Resolution in support of the Fairness in Cooperative Home Ownership Act (Stern).*** Do I have a motion?

**LEG. BROWNING:**

Second.

**CHAIRMAN EDDINGTON:**

Motion to approve; who did that?

**LEG. BROWNING:**

I'll make the motion.

**CHAIRMAN EDDINGTON:**

Motion to approve, Legislator Browning, I will second it.

All in favor? Opposed? Abstentions? ***Approved (VOTE: 7•0•0•0).***

***MR 072•2006 • Memorializing Resolution in support of regulating the placement of sex offenders (Browning).***

**LEG. BROWNING:**

Motion.

**CHAIRMAN EDDINGTON:**

Motion to approve by Legislator Browning.

**LEG. LOSQUADRO:**

Do we have the bill numbers on this?

**LEG. VILORIA • FISHER:**

(Inaudible).

**CHAIRMAN EDDINGTON:**

Yeah, it's not •• my wife's bill, it's in the back.

**LEG. CARACAPPA:**

It has to do with the same thing as that?

**CHAIRMAN EDDINGTON:**

Yeah, the State is working on it also.

**LEG. VILORIA • FISHER:**

AA851, it's in the Assembly.

**LEG. CARACAPPA:**

Did the State •• Legislator Browning, did the State or did our Department of Social Services say that the State needed some sort of waiver for them to allow this new policy that you're enacting to be put in place? Because when I did my bill, they claimed I needed a waiver, and it was true, but the State wrote back and said though we're not going to give you the official waiver, we have no problem with you moving forward with this policy. Was that the case in your instance as well?

**LEG. BROWNING:**

In my bill?

**LEG. CARACAPPA:**

Yeah, with your bill, saying that they would be •• they can't do it without the State's approval?

**LEG. BROWNING:**

No.



**LEG. CARACAPPA:**

Okay, good.

**LEG. BROWNING:**

I didn't get anything on a waiver. This one here, the Memorializing Resolution is basically that the State is saying that you need to •• you know, departments need to be cautious about where they're placing and not •• try and prevent over saturation, that's kind of what that's about.

**LEG. CARACAPPA:**

Excellent.

**CHAIRMAN EDDINGTON:**

Okay, Legislator Browning made a motion to approve, I'll second it. All those in favor? Opposed? Abstentions? Okay, ***approved***  
***(VOTE: 7•0•0•0).***

Okay. I believe that's the end of business. The meeting is adjourned. Thank you.

***(\*The meeting was adjourned at 12:48 PM\*)***

***Legislator Jack Eddington, Chairman  
Public Safety & Public Information Committee***